

Katten

575 Madison Avenue
New York, NY 10022-2585
+1.212.940.8800 tel
katten.com

MICHAEL M. ROSENSAFT
michael.rosensaft@katten.com
+1.212.940.6631 direct
+1.212.940.8776 fax

March 23, 2020

VIA ECF

The Honorable Gary R. Brown
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *United States v. Michael Cohn*, 19 Cr. 97

Dear Judge Brown:

As this Court may recall, defense counsel submitted a letter on March 17, 2020 (Dkt. No. 74) requesting modification of the Third Party Protective Order (Dkt. No. 53) entered in this case. Paragraph five of that order currently requires Mr. Cohn to review discovery materials marked sensitive in the presence of counsel. Defendant requested that the order be modified such that he could review sensitive discovery material at his home given the current pandemic, which prevents Mr. Cohn from traveling to Manhattan to review materials in the presence of counsel. As stated in our previous letter, the SEC has requested that the proposed modification include the requirements that: (1) Mr. Cohn not make copies of the sensitive material; (2) Mr. Cohn keep the sensitive material in his home at all times; and (3) Mr. Cohn only review the sensitive material alone (or with Authorized Persons identified in paragraph three of the order). Defendant has agreed to abide by these additional restrictions for any materials marked sensitive by the Government or any third party.

At the time of our request, only third party GPB Capital (“GPB”) objected to the modification of the Third Party Protective Order. We write now to advise the Court that after further consideration, counsel for GPB has withdrawn that objection. In light of the foregoing, and without objection from the Government or any third party, Defendant requests that the restriction in paragraph five of the Third party Protective Order that prevents Mr. Cohn from reviewing sensitive documents at his home be suspended for a period of at least 60 days. The Court already authorized a similar modification to the Government protective order on March 23, 2020 (Dkt. No. 73).

KATTEN MUCHIN ROSENMAN LLP

CENTURY CITY CHARLOTTE CHICAGO DALLAS HOUSTON LOS ANGELES
NEW YORK ORANGE COUNTY SHANGHAI WASHINGTON, DC

A limited liability partnership including professional corporations

LONDON: KATTEN MUCHIN ROSENMAN UK LLP

Katten

March 23, 2020

Page 2

Respectfully submitted,

/s/ Michael M. Rosensaft

Michael M. Rosensaft